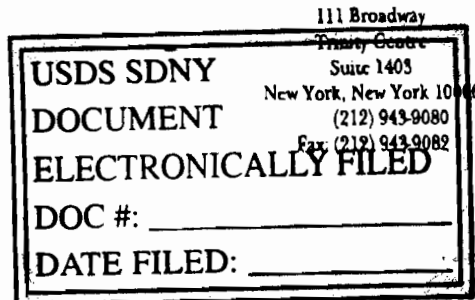


Barnes, Iaccarino, Virginia, Ambinder & Shepherd, PLLC
ATTORNEYS AT LAW

8 Surrey Lane
Hempstead, New York 11550
(516) 483-2990
Fax: (516) 483-0566

258 Saw Mill River Road
Elmsford, New York 10523
(914) 592-1515
Fax: (914) 592-3213

July 14, 2008



Facsimile (914) 390-4152

Honorable Judge Kenneth M. Karas
United States District Judge
Southern District New York
United States Courthouse
300 Quarropas Street
White Plains, New York 10601

MEMO ENDORSED

Re: Trustees of the Structural Steel and Bridge Painters et al. v. Tower Painting Co. et al.
Docket No. 07 civ 10519 (KMK) (GAY)

Dear Honorable Judge Karas:

This office represents the plaintiffs in the above matter. This letter makes reference to the Court Order dated June 19, 2008 discontinuing the action with prejudice provided, however, that if settlement is not consummated within 30 days either party may apply by letter for restoration of the action to the calendar.


This matter involved trust fund contributions owed by defendant Tower Painting to a Union Benefit Fund pursuant to a collective bargaining agreement on a project known as the Livonia Line Project. Plaintiffs also sued Liberty Mutual Insurance Company because the Livonia Line Project was bonded by Liberty Mutual Insurance.

At our last court conference the defendant Tower Painting agreed in principal to a settlement and proposed a payout plan that plaintiffs accepted. Our office prepared and sent the settlement agreement along with a Affidavit of Confession of Judgment for execution by the defendant. To date, we have not received any executed documents or payments.

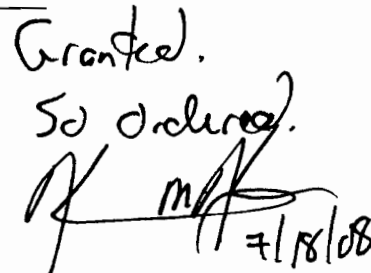
Accordingly, Plaintiff is respectfully requesting that the matter be restored to the calendar.

Thank you for your assistance and courtesies.

Sincerely,


Dana L. Henke (DLH3025)

cc: George A. Marco, Esq. via e-mail gmarco@nyconstructionlaw.com
Counsel for the Defendants

Granted.
So ordered.

7/18/08